



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Paper No. 41

Phillippe Jean Henri Berna  
Mas Liotard  
Les Brousses, F 30410  
Molieres Sur Ceze, FRANCE

**COPY MAILED**

**OCT - 6 1997**

**OFFICE OF PETITIONS  
AND PATENTS**

**ON PETITION**

In re Application of: Phillippe Jean Henri Berna  
Filing Date: October 12, 1994  
Application Number: 08/580,493 (which is a  
§1.62 continuation of 08/321,589)  
For: Process For Making A Versatile Clamping  
Device To Hold Objects Without Damaging Them,  
Such A Device and Its Use

This is a decision on the petitions filed June 19, 1997 under 37 C.F.R. §1.137(a) to revive application serial no. 08/321,589 on the ground that the abandonment was due to unavoidable delay and under 37 C.F.R. §1.183 for a waiver of the terminal disclaimer requirement of 37 C.F.R. §1.137(c).

The petitions are GRANTED.

Since application serial no. 08/321,589 is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of the continuing application serial no. 08/580,493.

Under the extraordinary circumstances of this case, as demonstrated by petitioner, justice requires waiver of the rules where they compel a terminal disclaimer as part of a grantable petition.

The application file is being returned to Examining Group 3200.

Abraham Hershkevitz  
Director, Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects